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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,421	07/13/2004	Antonius Adriaan Maria Staring	NL 020050	9933

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EXAMINER	
JOHNSON, CARLTON	

ART UNIT	PAPER NUMBER
2136	

MAIL DATE	DELIVERY MODE
06/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/501,421	STARING ET AL.	
	Examiner	Art Unit	
	CARLTON V. JOHNSON	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *13 July 2004* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responding to application papers filed on **7-13-2004**.

2. Claims **1 - 10** are pending. Claims **1, 5, 7** are independent.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims **1, 2** are rejected under 35 U.S.C. 102(e) as being anticipated by **Damera-Venkata et al.** (US Patent No. **7,187,806**).

Regarding Claim 1, Damera-Venkata discloses a method of secure reception of a message from a user, comprising

a) generating (401) an image (320) representing a plurality of input means (321) each representing an input symbol that can be used in the message, (see Damera-Venkata col. 2, lines 10-16; col. 4, lines 29-35: embed information (message) in image)

b) encoding (402) the image by, for each pixel in the image (320), (see Damera-

Venkata col. 2, lines 37-43: encoding using pixels)

c) choosing (423,427) a first pattern (P0) if the pixel is of a first color and a portion of a key sequence represents a first value, or if the pixel is of a second color and the portion represents a second value, and choosing (424, 426) a second pattern (P1) if the pixel is of the second color and the portion represents the first value, or if the pixel is of the first color and the portion represents the second value, transmitting (403) for each pixel the pertinent chosen pattern to a device operable by the user, (see Damera-Venkata col. 5, line 56 - col. 6, line 4: determine pixel type based on intensity value (dark pixel; light pixel)

e) receiving (404) a set of coordinates from the device, translating (405) the set of coordinates to a particular input means represented on the image (320), and constructing (406) the message from the user as the input symbol represented by the particular input means. (see Damera-Venkata col. 7, lines 29-44: construct the messages ("begin message", "ones", "zeroes", and "end message")

Regarding Claim 2, Damera-Venkata discloses the method of claim 1, in which the first color is black, the second color is white, the first value is '0' and the second value is '1 '. (see Damera-Venkata col. 2, lines 37-42; col. 7, lines 20-23; col. 4, lines 51-53: detecting minority pixels that may include a majority of dark (black) or light (white) pixels)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims **3 - 5, 7 - 10** are rejected under 35 U.S.C. 103 (a) as being unpatentable over **Damera-Venkata** and further in view of **Yamamoto et al.** (US Patent No. **6,095,566**).

Regarding Claim 3, Damera-Venkata discloses the method of claim 1, in which the message comprises the information. (see Damera-Venkata col. 2, lines 10-16: embedding information (a message)) Damera-Venkata does not specifically disclose an authentication code. However, Yamamoto discloses wherein an authentication code. (see Yamamoto col. 18, lines 24-28: a verifying process for the additional information)

It would have been obvious to one of ordinary skill in the art to modify Damera-Venkata for an authentication code as taught by Yamamoto. One of ordinary skill in the art would have been motivated to employ the teachings of Yamamoto in order to that superimposed additional information cannot be easily reproduced. (see Yamamoto col. 2, lines 36-41: " ... *However, the foregoing methods (1) and (2) must perform complicated operations in addition to the signal process for reading the image in order to reproduce the superimpose-recorded additional information. Therefore, superimpose-recorded additional information cannot easily be reproduced.* ... ")

Regarding Claim 4, Damera-Venkata discloses the method of claim 1, in which the placement of the input means on the image (320) is chosen in a random fashion. (see Damera-Venkata col. 2, lines 10-16; col. 4, lines 29-35: embed information (message) in image) Damera-Venkata does not specifically disclose the input means on the image (320) is chosen in a random fashion. However, Yamamoto discloses wherein the input means on the image (320) is chosen in a random fashion. (see Yamamoto col. 28, lines 61-65: random number generation by one for one pixel)

It would have been obvious to one of ordinary skill in the art to modify Damera-Venkata for an authentication code as taught by Yamamoto. One of ordinary skill in the art would have been motivated to employ the teachings of Yamamoto in order to that superimposed additional information cannot be easily reproduced. (see Yamamoto col. 2, lines 36-41)

Regarding Claim 5, Damera-Venkata discloses a method of secure transmission of a message, comprising receiving a pattern from a transmitting device (300) (see Damera-Venkata col. 2, lines 10-16; col. 4, lines 29-35: embed information (message) in image),

And, Yamamoto discloses wherein outputting on a first display (501) a graphical representation of the pattern, outputting on a second display (311) a graphical representation of a first pattern (P0) if a portion of a key sequence represents a first value, and outputting on the second display (311) a graphical representation of a second pattern (P1) if said portion represents a second value, receiving input

representing a set of coordinates from a user, and transmitting the set of coordinates to the transmitting device (300). (see Yamamoto col. 2, lines 50-57; col. 3, lines 22-34: superimposed images; col. 7, lines 39-43: reproducing filter; contents can visually be recognized)

It would have been obvious to one of ordinary skill in the art to modify Damera-Venkata for a graphical representation of the pattern as taught by Yamamoto. One of ordinary skill in the art would have been motivated to employ the teachings of Yamamoto in order to that superimposed additional information cannot be easily reproduced. (see Yamamoto col. 2, lines 36-41)

Regarding Claim 7, Damera-Venkata discloses a client device (301) allowing secure transmission of a message, comprising

receiving means (502) for receiving a pattern from a transmitting device (see Damera-Venkata col. 2, lines 10-16; col. 4, lines 29-35: embed information (message) in image), a memory (312) for storing a key sequence (see Damera-Venkata col. 3, line 53 - col. 4, line 1: memory used in the information embedding and information retrieving operations),

And, Yamamoto discloses:

a first display (501) for outputting a graphical representation of the pattern, a second display (311) suitable to be overlaid upon the first display (501), the second display (311) being arranged for outputting a graphical representation of a first pattern (P0) if a portion of the key sequence represents a first value, and for outputting a graphical

representation of a second pattern (P1) if said portion represents a second value, input means for receiving input representing a set of coordinates from a user, and transmitting means (502) for transmitting the set of coordinates to the transmitting device (300). (see Yamamoto col. 2, lines 50-57; col. 3, lines 22-34: superimposed images)

It would have been obvious to one of ordinary skill in the art to modify Damera-Venkata for an authentication code as taught by Yamamoto. One of ordinary skill in the art would have been motivated to employ the teachings of Yamamoto in order to that superimposed additional information cannot be easily reproduced. (see Yamamoto col. 2, lines 36-41)

Regarding Claim 8, Damera-Venkata discloses the client device (301) of claim 7, in which the second display (311) is embodied as a unit (310) physically separate from the first display (501), and provided with the memory (312) for storing the key sequence. (see Damera-Venkata col. 3, line 53 - col. 4, line 1: memory used in the information embedding and information retrieving operations)

Regarding Claim 9, Damera-Venkata discloses a computer program product arranged for causing a processor to execute the method of claim 1. (see Damera-Venkata col. 4, lines 7-9: components may be implemented in any combination of hardware, firmware, and software)

Regarding Claim 10, Damera-Venkata discloses a computer program product arranged for causing a processor to execute the method of claim 5. (see Damera-Venkata col. 4, lines 7-9: components may be implemented in any combination of hardware, firmware, and software)

7. Claim **6** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Damera-Venkata-Yamamoto** and further in view of **David et al.** (US PGPUB No. **20020001395**).

Regarding Claim 6, Damera-Venkata discloses the method of claim 5. (see Damera-Venkata col. 2, lines 10-16; col. 4, lines 29-35: embed information (message) in image) Damera-Venkata does not specifically disclose input is received as pressure on a particular spot of the first display, the set of coordinates corresponding to the particular spot. However, Davis discloses input is received as pressure on a particular spot of the first display. (see Davis paragraph [0058], lines 2-7: touch screen (pressure sensitive screen)

It would have been obvious to one of ordinary skill in the art to modify Damera-Venkata to enable the usage of pressure sensitive displays as taught by Davis. One of ordinary skill in the art would have been motivated to employ the teachings of Davis in order to maintain the association between various types of processing on the media signal and its metadata. (see Davis paragraph [0003], lines 1-6: *"... For many applications, it is useful to associate data (metadata) with media signals. Some*

examples include associating the owner of an image with the image, or associating a picture with a song. One problem is maintaining the association between various types of processing on the media signal or its metadata. ... ")

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARLTON V. JOHNSON whose telephone number is (571)270-1032. The examiner can normally be reached on Monday thru Friday , 8:00 - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nasser G Moazzami/
Supervisory Patent Examiner, Art Unit 2136

Carlton V. Johnson
Examiner
Art Unit 2136

CVJ
June 9, 2008